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IN THE DRAWINGS:

A new set of formal drawings are being submitted herewith. However, please note that such drawings were previously submitted on July 15, 2004. These drawings should be considered formal and of sufficient quality to permit examination.

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REMARKS

This amendment is being filed in response to the Office Action dated February 27, 2007. For the following reasons, this application should be considered in condition for allowance and the case passed to issue.

The drawings were objected to as being of insufficient quality to permit examination. Formal drawings actually were submitted on July 15, 2004. It is respectfully submitted that such formal drawings should be considered of sufficient quality to permit examination. However, in the unlikely event that the formal drawings weren't received, despite the stamped postcard, Applicant hereby re-submits the formal drawings as replacement sheets accompanying this amendment. These drawings should be considered to be of sufficient quality to permit examination.

Claim 7 was objected to because of an informality. This objection has been obviated by the amendment made to claim 7. Accordingly, withdrawal of the objection to claim 7 is respectfully requested.

Claims 1 and 5 were rejected under 35 U.S.C. § 112, second paragraph. Claim 1 has been amended to change the term "multiport" switch to "network" switch, in order to provide proper antecedent basis. The Examiner noted that claim 5 recited the limitation "the plural entries" in line 2, stating that this limitation lacked antecedent basis. However, the term "the plural entries" was provided with proper antecedent basis in line 1 of claim 5. Respectfully, the claim states that "wherein the address label contains plural entries" in line 1 of claim 5. This provides the sufficient antecedent basis for the term "the plural entries" in claim 5, line 2. Therefore, the rejection of claim 5 under 35 U.S.C. § 112 should be reconsidered and withdrawn.

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Claims 1-9 and 12-16 were rejected under 35 U.S.C. § 103(a) as being obvious based upon Runaldue et al. (hereinafter "Runaldue") in view of Fried et al. (hereinafter "Fried"). These rejections are hereby traversed and reconsideration and withdrawal thereof are respectfully requested. Although Applicants disagree that the claimed invention is obvious, predicated upon any combination of these references, in order to expedite prosecution of the application, Applicants submit that the reference to Runaldue can not be properly applied against the present application under 35 U.S.C. § 103. As discussed in the MPEP § 2146, a reference that qualifies as "prior art" merely under 35 U.S.C. § 102(e) can not be considered when determining whether an invention sought to be patented is obvious under 35 U.S.C. § 103, provided the subject matter of the claimed invention is commonly owned at the time the invention was made. Since the Runaldue reference was published on April 18, 2000, only after the April 22, 1999 filing date of the currently application to which the current application claims the benefit of the early filing date. The Runaldue reference qualifies as prior art only under 35 U.S.C. § 102(e).

STATEMENT CONCERNING COMMON OWNERSHIP

U.S. Patent Application Serial No. 10/734,237 (the instant application) and U.S. Patent No. 6,052,752, were at the time the invention of application no. 10/734,237 was made, owned by Advanced Micro Devices, Inc. of Sunnyvale, California. The cover page of U.S. Patent No. 6,052,751 indicates the patent was assigned to Advanced Micro Devices, Inc. of Sunnyvale, California. The instant application was assigned to Advanced Micro Devices, Inc. of Sunnyvale, California. A copy of the Assignment was filed in the instant case and was recorded on April 22, 1999 at reel/frame of 9913/0359.

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As the subject matter disclosed by U.S. Patent No. 6,052,751 and Applicants claimed invention was commonly owned at the time the invention was made or subject to an obligation of Assignment to the same person, i.e., Advanced Micro Devices, Inc. of Sunnyvale, California, the rejection under 35 U.S.C. § 103 must be reconsidered and withdrawn.

Hence, only the rejection of claims 10 and 11 should be at issue, since the rejection of claims 1-9 and 12-16 under 35 U.S.C. § 103 should be reconsidered and withdrawn based upon the statement concerning common ownership. The following is a comparison of the present invention as currently claimed with the Runalduke reference.

As recited in claim 10, for example, the present invention relates to an arrangement for controlling access to information stored within a network switch. The arrangement comprises an address table for storing entries that contain addresses of network stations connected to the network switch. A plurality of components are configured to access the address table. A scheduler allocates prescribed time slots to the plurality of components for accessing the address table. Each of the components are configured for determining if any other components are currently transacting with the address table during its allocated time slot. Each of the components are also configured for accessing the address table if none of the other components are currently transacting with the address table.

In order to anticipate the claims of an invention under 35 U.S.C. § 102, each and every element of the claim must be identically disclosed in a single prior art reference. The Examiner has failed to show that Runalduke meets this high standard.

Runalduke, U.S. Patent No. 6,052,751 relates to a method and apparatus for changing the number of access slots into a memory. The disclosure of Runalduke describes an external memory 36, and an address table 160 that is provided within the integrated multiport switch 12.

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The address table 160 is depicted in Fig. 14 within the buffer manager 72. It is respectfully submitted that the Examiner had confused the address table 160 with the external memory 36. Further, even if the external memory 36 can be considered an address table, the claims of the invention patentably define over Runalduc.

The Examiner refers to an address table for storing entries that contain address and network stations connected to the network switch and a plurality of components capable of accessing the address table as being described at column 23, lines 25-31 of Runalduc. This section refers to the port vector FIFO 70 that maintains the information identifying the mode each port is in. The port vector FIFO 70 first queries the address table 160 of the buffer manager 72 to determine the receive port, determines the mode for that receive port, then monitors the flags from the receive port and releases the frame pointer according to the mode and the flags. The Examiner then describes a scheduler for allocating prescribed time slots to the plurality of components for accessing the address table and refers to column 14, lines 9-16 and column 24, lines 51-57. Both of the sections cited by the Examiner relate to a scheduling function for allocating accesses to the external memory 36, and not to the address table 160. Hence, the scheduler to which the Examiner refers does not allocate the prescribed time slots to the plurality of components for accessing the address table. Instead, as clearly stated at column 14, lines 9-11, the buffer manager 72 contains a scheduler function for allocating all accesses to the external memory 36. The Examiner has not shown that the external memory 36 is the same as the address table 160 and that one of ordinary skill in the art would consider these to be the same.

Further, the Examiner states that Runalduc teaches each of the components being configured for determining if any other components are currently transacting with the address table during its allocated time slot. As stated above, the Examiner has not shown that Runalduc

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describes prescribing time slots to access the address table. The Examiner has still further not shown that Runalduce teaches determining if any component is currently transacting with the address table 160 during an allocated time slot. Column 22, lines 63-67 refer to a port vector FIFO 70 querying the address table 160 with a frame pointer. If a frame is still being received, the address table returns the receive port. If the address table 160 cannot find the frame pointer, this means that the frame had already been received. Hence, there is no allocation of time slots to a component, nor is there any indication that Runalduce discloses the determination of any other components currently transacting with the address table during the allocated time slot, in accessing the address table if none of the other components are currently transacting with the address table.

For all of the above reasons, it is respectfully submitted that the Examiner has failed to show that Runalduce identically discloses each and every element of claim 10. Accordingly, the rejection of claim 10, as well as claim 11 which depends from and further limits claim 10, under 35 U.S.C. § 102(e) should be reconsidered and withdrawn. Such action is courteously solicited.

In light of the amendments and remarks above, this application should be considered in condition for allowance and the case passed to issue. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP


John A. Hankins
Registration No. 32,029

4370 La Jolla Village Drive, Suite 700
San Diego, CA 92122
Phone: 858.535.9001 JAH:em:tms
Facsimile: 858.597.1585
Date: May 25, 2007

**Please recognize our Customer No. 41552
as our correspondence address.**

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